IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 8221 of 2004

Between:

1 A.P.S.R.T.C. Rep. by its Managing Director, Mushirabad, Hyderabad.
2 Depot Manager, APSRTC, Banswada Depot, Nizamabad District.

..... PETITIONER(S)

AND

1 Executive Officer(redisignated as Panchayat Secretary), Grampanchayath, Banswada, Nizamabad District.
2 Grampanchayat, Banswada, Rep. by its Executive Authority, Collector (Panchayat Wing), Nizamabad.
3 Collector (Panchayat Wing), Nizamabad.
4 Government of Andhra Pradesh, Rep. by its Secretary, Panchayathraj Department, Secretariat Builidings, Hyderabad.
5 Revision officer, Appointed by the Collector, (Panchayat Raj), Nizamabad District, for Assessment of Property Tax in the year 1995-96.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ Order or Direction, especially in the nature of a Writ of Certiorari, calling for the records relating to the impugned Demand Notice dt. 05-11-1996 issued by the Executive Officer, Grampanchayath, Banswada demanding payment iof House Tax of Rs. 28,011-66ps for the year 1995-96 for the Bus Station APSRTC, Banswada bearing House No.1-1-11/5 A as confirmed in ROC No. 539/97-B1 (PTS) dt. 15-9-1997 of the Collector (Panchayath Wing) Nizamabad and subsequent Demand Notices for the years 1996-97 to 2003-04 and the latest combined Demand Notice dt. 20-10-2003 demanding payment of Rs. 3,24,380-00.

Counsel for the Petitioner:MR.K.HARINATH, Advocate.

Counsel for the Respondent No.1 : Mr.Maria Desai, Advocate.

Counsel for the Respondents No.2 to 5 : GP for Panchayatraj.

The Court made the following :

ORDER : (Per Sri Bilal Nazki, J)

Heard learned Counsel for the parties.

During the hearing, it has come to our notice that a revision petition is pending before the Government, against the impugned order. Since the revision petition was not decided, therefore the petitioner has filed this Writ Petition. This Court passed some interim orders and it is stated at the Bar that the petitioner has already deposited Rs.2,08,000/- out of the total liability of Rs.3,60,000/-. In these circumstances, we deem it appropriate to dispose of this Writ Petition, directing the Government to decide the revision expeditiously. Till the revision is decided, no coercive steps shall be taken against the petitioner for recovery of the balance amount.

Writ Petition is accordingly disposed of. No costs.

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(Bilal Nazki, J)

14th July, 2004.

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(P.S.Narayana, J)

ajr.

To

1 The Executive Officer(redisignated as Panchayat Secretary), Grampanchayath, Banswada, Nizamabad District.
2 The Executive Authority, Grampanchayat, Banswada,
Collector (Panchayat Wing), Nizamabad.
3 The Collector (Panchayat Wing), Nizamabad.
4 The Secretary, Panchayathraj Department, Government of Andhra Pradesh, Secretariat Builidings, Hyderabad.
5 The Revision officer appointed by the Collector, (Panchayat Raj), Nizamabad District, for Assessment of Property Tax in the year 1995-96.

6 Two C.Cs. to the Government Pleader for Panchayathraj, High Court buildings, Hyderabad (O.U.T).

7 Two C.D. copies.